

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA) Case No. 1:18-cr-00183
)
v.)
) District Judge Curtis L. Collier
PONSHALA FLUELLEN)
) Magistrate Judge Christopher H. Steger

O R D E R

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 109) recommending that the Court: (1) grant Defendant's motion to withdraw her not guilty plea to Counts One and Fourteen of the sixteen count Superseding Indictment; (2) accept Defendant's guilty plea to Counts One and Fourteen of the sixteen count Superseding Indictment; (3) adjudicate Defendant guilty of Count One—conspiracy to knowingly and intentionally distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 846, and Count Fourteen—distribution of heroin in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with the Magistrate Judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's report and recommendation (Doc. 109) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw her not guilty plea to Counts One and Fourteen of the sixteen count Superseding Indictment is **GRANTED**;
2. Defendant's plea of guilty to Counts One and Fourteen of the sixteen count Superseding Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of Count One—conspiracy to knowingly and intentionally distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B) and 846, and Count Fourteen—distribution of heroin in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C);
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
5. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter, which is scheduled to take place before the undersigned on **June 3, 2020, at 2:00 p.m.**

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE